

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

July 8, 2011

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF No.: 11KD-057

Kauai

Cancellation of Revocable Permit No. S-6024 to Masaichi Ajimura and Issuance of Revocable Permit to Clyde Ajimura for Home Garden Purposes at Lot 15, por. of Hanapepe Town Lots (1st and 2nd Series), Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9-05:38.

APPLICANT:

Clyde Ajimura, single, Tenant in Severalty.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Lot 15, por. of Hanapepe Town Lots (1st and 2nd Series), Hanapepe, Kauai, Hawaii, identified by Tax Map Key: (4) 1-9-05:38, as shown on the attached map labeled Exhibit A.

AREA:

10,114 square feet, more or less.

ZONING:

State Land Use District:	Urban
County of Kauai CZO:	General Commercial

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Encumbered by Revocable Permit No. S-6024, Masaichi Ajimura (deceased), for Home Garden purposes. Revocable Permit No. S-6024 is to be cancelled upon approval of a new revocable permit to Clyde Ajimura.

CHARACTER OF USE:

Home Garden purposes.

COMMENCEMENT DATE:

The first day of the month to be determined by the Chairperson.

MONTHLY RENTAL:

\$49.00 per month (see attached appraisal report – Exhibit 'B').

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 as "there will be negligible or no expansion or change of use beyond that previously existing".

DCCA VERIFICATION:

Not applicable – applicant is an individual.

REMARKS:

The subject property is State-owned land consisting of approximately 10,114 square feet which is encumbered under Revocable Permit No. S-6024 to Masaichi Ajimura, on June

1, 1983 for home gardening purposes.

Prior to 1983 the subject lot was vacant and overgrown with koa haole and other noxious plants. Since receiving Revocable Permit No. S-6024 in June 1983, he and his family has cleaned the property and used it for home garden purposes.

As a member of the Hanapepe Community Association, living in Hanapepe Town and owning a business next door to the subject property, it has benefited the community with a beautiful garden setting.

By way of letter received April 11, 2011, Clyde Ajimura, son of Masaichi Ajimura, informed the Land Division that his father passed away on March 23, 2011. See Exhibit 'C'.

Clyde Ajimura is requesting that Revocable Permit No. S-6024 be terminated and that a new revocable permit be issued to him. Clyde has been helping his father manage and maintain the premises since June 1983. See Exhibit 'D'.

The proposed use is allowable in the county zoning for the subject area and have not changed from its previous use.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

There is no other request to utilize the subject property from other parties.

Mont-to-month tenancy is appropriate as Staff will be listing this property because of its zoning for highest and best use along with several other properties in the Hanapepe area at a future public auction with Board approval.

Comments were solicited from:

State Agencies:

DOH	No environmental health concerns
OHA	No objections
DOA	No comments

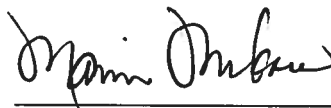
County Agencies

County Planning	No response by suspense date
Public Works Dept.	No comments
Dept. of Water	No objections

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the cancellation of Revocable Permit No. S-6024 to Masaichi Ajimura.
3. Authorize the issuance of a revocable permit to Clyde Ajimura covering the subject area for home gardening purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
  - b. Review and approval by the Department of the Attorney General; and
  - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



---

Marvin Mikasa  
Land Agent

APPROVED FOR SUBMITTAL:



---

William J. Aila, Jr., Chairperson





**EXHIBIT "A"**



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

June 7, 2011

DLNR KDLO RCVD  
JUN 9 '11  
PM 1:38:20

MEMORANDUM

TO: William J. Aila, Jr., Chairperson

THROUGH: Russell Y. Tsuji, Land Division Administrator

FROM: Cyrus C. Chen, Real Estate Appraisal Manager *Cyrus Chen*

SUBJECT: In-House Valuation Recommendation – Revocable Permit for Home Garden Purposes

PSF No.: 11KD-057  
Applicant: Clyde Ajimura  
Location: Lot 15, por. of Hanapepe Town Lots (1st and 2nd Series),  
Hanapepe, Waimea, Kauai Hawaii  
Land Area: 10,114 sq. ft.  
Tax Map Key: (4) 1-9-05: 38  
Char. of Use: Home Garden

We have been requested to provide a monthly rent amount for the issuance of a revocable permit for home garden purposes on the above-referenced property. This rent amount will be included in staff's submittal to the Board for approval of this permit and will not be effective unless such approval is received.

The subject is currently encumbered by RP 6024, which was issued to Masaichi Ajimura on June 1, 1983 for home gardening purposes. The current rent is \$13 per month. By way of letter received April 11, 2011, Clyde Ajimura, son of Masaichi Ajimura, informed Land Division that his father passed away on March 23, 2011. Clyde Ajimura is requesting that RP 6024 be terminated and that a new revocable permit be issued to him. The land area and character of use would be the same.

Based on the rent for similar landscaping permits on Kauai, we calculate the monthly rent as follows:

<u>Doc. No.</u>	<u>Rent</u>	<u>Area (sq. ft.)</u>	<u>\$/sq. ft.</u>
-----------------	-------------	-----------------------	-------------------

**EXHIBIT "B"**

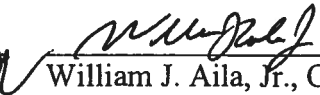
RP No. S-7508	\$13	7,445	\$0.0017
RP No. S-7641	\$40	5,009	<u>\$0.008</u>
Average			<u>\$0.0049</u>
x 10,114 sq. ft.			\$49.05
Recommended Monthly Rent (Rounded)			\$49.00

Therefore, as of the date of this document, the monthly market rent for the revocable permit to the applicant is recommended to be \$49 per month.

Special Assumptions and Limiting Conditions

- 1) This document does not take the place of an appraisal and does not constitute an appraisal, which adheres to the Uniform Standards of Professional Appraisal Practice.
- 2) Neither the subject property nor the comparables have been inspected by the staff appraiser.

Approved:

  
 William J. Aila, Jr., Chairperson

6/7/11  
 Date

cc: District Branch Files JUN 08 2011  
 Central Files

RP 6024

## OBITUARY

### Masaichi Ajimura

Masaichi Ajimura of Hanapepe died March 28, 2011 at his home at the age of

in Hanalei, Kaua'i. He was a retired fireman with the County of Kaua'i, and was part of the 442 regiment.

He was preceded in death

by his son Alvin Ajimura; daughters Shelley and Vickie Ajimura.

He is survived by his wife Yuriko Ajimura; sons, Clyde Ajimura of Ele'ele, Wayne Ajimura of Hanapepe; daughters, Lynn Viquela, Mary Ajimura both of California; six grandchildren; three great-grandchildren; sister Jane Y. Mitchell of Honolulu;

nieces and nephews.

Friends may visit with the family at noon on Monday, March 28, 2011 at the Kaua'i Veterans Cemetery Pavilion; service at 1 p.m., followed by burial.

Casual attire is suggested. Arrangements are being handled by Garden Island Mortuary, Ltd.



To. State of Hawaii, DLNR

My father Masaichi Ajimara was renting  
or leasing property No. (Tax map Key) (4) 1-9005:038  
from the state, because he just passed away  
I am aware the permit will or has expired.

I Clyde Ajimara son of Masaichi Ajimara  
would like to continue leasing this parcel.  
My purpose will be the same like my father  
did, Gardening  
How and What can I do to continue  
leasing the parcel.

Thank You  
Yours Truly  
Clyde Ajimara

phone  
cd

PM1:57:16

EXHIBIT "D"

APR 11 '11  
DLNR KDLO RCVD



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

July 8, 2011

**EXEMPTION NOTIFICATION**

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title:	Cancellation of Revocable Permit No. S-6024 to Masaichi Ajimura and Issuance of Revocable Permit to Clyde Ajimura
Project / Reference No.:	11KD-057
Project Location:	Lot 15, por. Of Hanapepe Town Lots (1st and 2nd Series), Hanapepe, Waimea, Kauai Tax Map Key: (4) 1-9-05:38
Project Description:	Home Gardening Purposes
Chap. 343 Trigger(s):	Use of State lands
Exemption Class No. and Description:	In accordance with Hawaii Administrative Rules, Section 11-200-8(a)(1)(4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."


The Division has granted similar permits on the past. The activity continues to occur on other areas across the state. Such activities have resulted in no know significant impacts, whether immediate or cumulative, to natural, environmental and/or cultural resources in the area. As such staff believes that the proposed permit would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

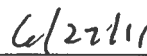
Consulted Parties:

USDA - NRCS was consulted as a source authority having jurisdiction or expertise in this matter, and concurs that the exemption identified above is applicable to and appropriate for the proposed project.

Recommendation:

It is anticipated this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

  
\_\_\_\_\_  
William J. Aila, Jr., Chairperson

  
\_\_\_\_\_  
Date